

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Re: Application of: **Rolf LUTHER et al.**

Serial No.: 10/559,552

Filed: December 2, 2005 as national phase of International Patent Application Serial No. PCT/EP04/05603, filed May 25, 2004

For: **DEVICE AND METHOD FOR THE AUTOMATIC  
DETECTION OF AT LEAST ONE FLUORESCENT  
AND/OR LIGHT-ABSORBENT INDICATOR CONTAINED  
IN A LIQUID SERVICE FLUID DURING THE FILLING OF  
A MACHINE WITH SAID SERVICE FLUID**

Mail Stop: PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 28, 2006

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Sir:

In response to the Notification of Missing Requirements, dated June 27, 2006, a copy of which is enclosed, please find a copy of an executed Declaration/Power of Attorney form signed by the inventors, an English translation of the international application as filed and a check in the amount of \$260.00 covering the filing surcharge. Also enclosed please find a first preliminary amendment, a copy of the Translation of the International Preliminary Report on Patentability (7 pages) and a Supplemental Application Data Sheet.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

09/05/2006 GFREY1 00000115 10559552

01 FC:1617 130.00 OP  
02 FC:1617 130.00 OP

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By



William C. Gehris, Reg. No. 38,156

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
(212) 736 - 1940

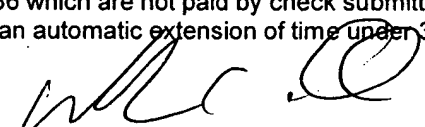
Mail Stop: PCT  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

In re application of: **Rolf LUTHER, et al.**  
Application No.: 10/559,552  
Filed: December 2, 2005 as national phase of International Patent Application Serial No. PCT/EP04/05603, filed May 25, 2004  
For: **DEVICE AND METHOD FOR THE AUTOMATIC DETECTION OF AT LEAST ONE FLUORESCENT AND/OR LIGHT-ABSORBENT INDICATOR CONTAINED IN A LIQUID SERVICE FLUID DURING THE FILLING OF A MACHINE WITH SAID SERVICE FLUID**

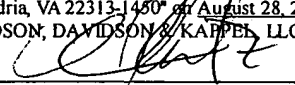
Sir:

Transmitted herewith is a **Response to Notification of Missing Requirements (1 page)** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
- ☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
- ☒ No fee for additional claims is required.
- ☐ A filing fee for additional claims calculated as shown below, is required:
- ☒ Also transmitted herewith are:
  - ☐ Petition for extension under 37 C.F.R. 1.136
  - ☒ Other: **Copy of Notification of Missing Requirements (2 pages); Copy of executed declaration / Power of Attorney (2 pages); English Translation of International Application (16 pages); First Preliminary Amendment (9 pages); Copy of International Preliminary Examination Report (7 pages); Supplemental Application Data Sheet (2 pages)**
- ☒ Check(s) in the amount of **\$260.00** is/are attached to cover:
  - ☐ Filing fee for additional claims under 37 C.F.R. 1.16
  - ☐ Petition fee for extension under 37 C.F.R. 1.136
  - ☒ Other: **Declaration and translation surcharge under 37 C.F.R. §1.492**
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552:
  - ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
  - ☒ Any patent application processing fees under 37 C.F.R. 1.17.
  - ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

  
William C. Gehris, Reg. No. 38,156  
DAVIDSON, DAVIDSON & KAPPEL, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
Tel: (212) 736-1940  
Fax: (212) 736-2427

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Mail Stop: PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on August 28, 2006.  
DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:   
Oliver Platz



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/559,552	Rolf Luther	345.1003

INTERNATIONAL APPLICATION NO.

PCT/EP04/05603

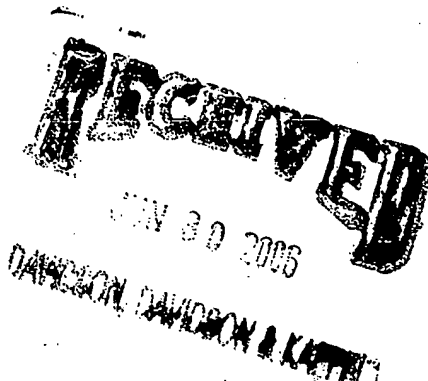
I.A. FILING DATE

05/25/2004

PRIORITY DATE

06/04/2003

Davidson Davidson & Kappel  
485 Seventh Avenue  
14th Floor  
New York, NY 10018



CONFIRMATION NO. 5269

371 FORMALITIES LETTER



\*OC000000019407472\*

Date Mailed: 06/27/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/02/2005
- Copy of the International Search Report filed on 12/02/2005
- Copy of IPE Report filed on 12/02/2005
- Preliminary Amendments filed on 12/02/2005
- Information Disclosure Statements filed on 12/02/2005
- U.S. Basic National Fees filed on 12/02/2005
- Priority Documents filed on 12/02/2005
- Specification filed on 12/02/2005
- Claims filed on 12/02/2005
- Abstracts filed on 12/02/2005
- Drawings filed on 12/02/2005

*7/3/2006*  
*4/27/07 Missing Parts (Deadline)*  
*8/27/06 Missing Parts (Due Date)*  
*7/27/06 & 8/15/06 Reminders*

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

*10/559,552*

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/559,552	PCT/EP04/05603	345.1003

FORM PCT/DO/EO/905 (371 Formalities Notice)